

the first day of May, 1865, except where the proceeding shall be by attachment." Which was adopted.

Mr. Manly moved to amend by striking out of lines 1 and 2, sec. 2, the words "sounding in contract," and inserting, in lieu thereof, the words "committed to the exclusive jurisdiction of the Superior Courts of Law by sec. 1 of this Act;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "and" in line 16, sec. 3, the words "shall issue;" and by striking out, in line 17, the words "sum recovered," and inserting, in lieu thereof, the word "judgment." Which were adopted.

Mr. Blythe moved further to amend by inserting the words "County or" before the words "Superior Court," in line 3, sec. 3; which did not prevail.

On motion of Mr. Manly, the section was further amended, by striking out, in lines 1 and 2, the words "sounding in contract," and inserting "as aforesaid pending in the Superior Courts."

Mr. Smith, of Hertford, moved further to amend by striking out in line 4, sec. 4, the words "twelve months from the test of such execution," and inserting, instead thereof, "twelve months from the term to which such execution was returned;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "repealed," in line 5, sec. 5, the words "except as provided in this act;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, at the end of sec. 6, the following:

*Provided, however,* That where there is no personal property, or not sufficient to satisfy the plaintiff's demand, it shall be the duty of such officer to levy the execution on the defendant's land, and, where there is no personal property, or the same shall have been exhausted by sales as herein directed, to return the same to the next Superior Court of the county,